

LAW OFFICES OF
MICHAEL V. CIBELLA, LLC

546 FIFTH AVENUE
NEW YORK, NEW YORK 10036

(212) 818-1880
FAX (212) 750-8297

OF COUNSEL TO
BARATTA, BARATTA, & AIDALA, LLP
SMILEY & SMILEY, LLP

www.CibellaLaw.com

July 29, 2019

VIA ECF

Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Duracell U.S. Operations, Inc. v. My Import USA Inc., et al*
Case No. 19-cv-3820 (PGG)


Dear Judge Gardephe:

We represent defendant Jian Yang Zhang. This letter is written pursuant to Rule 1(D) of Your Honor's Individual Practice Rules to request an extension of the deadline for the Defendant to answer, move or otherwise respond to the Complaint from July 31, 2019 until August 30, 2019. The parties have been actively engaged in informal discovery and settlement discussions and continue to make progress towards a resolution but require additional time. In this regard, on July 26, 2019, the Plaintiff advised of its consent to a further extension of time for Defendant to respond to the Complaint in accordance with this request.

This is Defendants' third request for an extension of this deadline. No other deadlines set herein by the Court will be affected by the within request.

Thank you for your consideration of this request.

Respectfully submitted,



Michael V. Cibella, Esq.

cc: All counsel of Record (via ECF)